

**Amendment in Response to Non-Final Office Action**  
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: November 12, 2008 Signature: /Christina M. Sperry/  
(Christina M. Sperry, Reg. No. 47,106)

Docket No.: 101896-0234  
(DEP5100CIP)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Tushar Patel et al.

Application No.: 10/777,019

Confirmation No.: 2233

Filed: February 11, 2004

Art Unit: 3733

For: TISSUE RETRACTOR AND GUIDE DEVICE

Examiner: D. C. Comstock

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner:

**INTRODUCTORY COMMENTS**

This paper is in response to the Office Action dated August 11, 2008.

**Amendments to the Claims** begin on page 2 of this paper

**Amendments to the Drawings** begin on page 9 of this paper and include attached replacement sheets.

**Remarks/Arguments** begin on page 10 of this paper.

An **Appendix** including amended drawing figures is attached following page 15 of this paper.